



UNITED STATES PATENT AND TRADEMARK OFFICE

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225 Franklin St
Boston, MA 02110

Paper No.

In re Application of
Kevin R. Heath
Serial No. : 09/924,275
Filed : August 8, 2001
For : Tubular Medical Endoprotheses

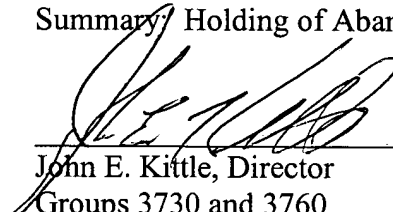
: DECISION ON PETITION
: TO WITHDRAW
: HOLDING OF
: ABANDONMENT
:

This is a decision on a request filed March 4, 2004 to review the holding of abandonment mailed January 13, 2004, for failure to respond to the Office action mailed July 2, 2003. There is no fee required for this petition.

In support of the request, petitioner has submitted a copy of a response, a copy of a three-month extension of time request, and a copy of a PTO stamped receipt dated January 2, 2004. It is noted that the original communication has been located and matched with the instant file. Any inconvenience is deeply regretted.

In view of the above, the Notice of Abandonment mailed January 13, 2004, is in error and is hereby vacated. The holding of abandonment is withdrawn. Upon the mailing of this decision, the application will be forwarded to the Examiner via the Legal Instruments Examiner for entry and consideration of the response filed January 2, 2004.

Summary Holding of Abandonment Withdrawn.


John E. Kittle, Director
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ak/03/29/04